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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/443,160	11/19/1999	DAVID L. ISAMAN	130.1012.02	6854

30425 7590 06/25/2003

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EXAMINER

PAN, DANIEL H

ART UNIT	PAPER NUMBER
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2183

DATE MAILED: 06/25/2003

15

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/443,160	ISAMAN, DAVID L.	
	Examiner	Art Unit	
	pan	2183	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 17 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 2-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 20 and 21 is/are allowed.
- 6) ☐ Claim(s) 2 and 12 is/are rejected.
- 7) ☐ Claim(s) 3-11 and 13-19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

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1. Claims 2-21 are presented for examination. Claim 1 has been canceled.
2. This is in response to the RCE and the paper filed on 04/17/03.
3. Claim 2 has not been changed.
- 4.
5. Newly found Webb, Jr. (6,360,314) has been used in combination with Amerson et al. (5,475,823) in formulating the rejection. Amerson et al. was cited in a previous Office action, therefore, copy of this patent is not included in this action.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2,12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amerson et al. (5,475,823) in view of Webb, Jr. et al. (6,360,314) .
7. As to claims 2,12, Amerson disclosed a system for detecting an instruction [load] that loads data from a first memory location [A1] (see the loading of the memory address in col.1, lines 30-41, see col.4, lines 30-37, col.5, lines 16-19) that was previously stored to (e.g. see col.8, lines 36-41). Amerson did not specifically show the feature of "without computing the external memory address of the first location " as claimed. Instead , it only shows both the load and store referenced the same memory location. However, Webb, Jr. disclosed a system for provide a load data from a recent store instead of having to retrieve the data from a memory upon a match of a comparison result between a load and store address information (e.g. see col.1, lines

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60-65, col.2, lines 7-15, col.4, lines 43-48col.6, lines 10-17, col.7, lines 20-26). From the above, it is clear that the load data was provided based on the address comparison, not a computation of address. In other words, the load data was provided without computing the external memory address because it was provided from the recent store. It would have been obvious to one of ordinary skill in the art to use Webb, Jr. in Amerson for including the feature of without computing the load address as claimed because the use of Webb, Jr. could increase the control ability of Amerson's instruction detector to accept a specific operand data previously stored in memory at a given request, thereby eliminating the address calculating cycle of the memory data, and it could be done by configuring the bypass circuit of Webb, Jr. into Amerson upon the compare of the load and store addresses to reduce the length of the address cycle, and in doing so, provided a motivation.

8. Claims 3-11, 13-19 are objected to as being dependent upon a rejected base claim, but would be allowable, for specifically reciting the additional second memory location for store and load data, if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


9. Claims 20-21 are allowable over the art of record for specifically reciting the detailed functional operations of the syntax determination and the respective first and second memory locations.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Pan, Esq. whose telephone number is 703 305 9696. The examiner can normally be reached on M-F from 8:00 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Chan, can be reached on (703) 305 9712. The fax phone number for the organization where this application or proceeding is assigned are

- a)before final 703 305 7439
- b)after final 703 746 7238
- c)customer service 703 746 7240 .

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305 3900.


DANIEL H. PAN
PRIMARY EXAMINER
GROUP